

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 20617

Application 30010 of California Department of Forestry and Fire Protection

Salt Creek Conservation Camp, P.O. Box 468, Paskenta, CA 96074

filed on September 27, 1991, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

<u>Salt Creek</u>	<u>North Fork Stony Creek thence</u>
<u></u>	<u>Stony Creek thence</u>
<u></u>	<u>Sacramento River</u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
BY CALIFORNIA COORDINATE SYSTEM, ZONE 2 NORTH 779,300 FEET AND EAST 1,821,100 FEET	NW $\frac{1}{4}$ OF SW $\frac{1}{4}$	34	23N	7W	MD

County of Tehama

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acre
DOMESTIC	NE $\frac{1}{4}$ OF NE $\frac{1}{4}$	34	23N	7W	MD	

The place of use is shown on map on file with the State Water Resources Control Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 20,000 gallons per day. The maximum amount diverted under this permit shall not exceed 22.4 acre-feet per year. (0000005)
6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000006)
7. Complete application of the water to the authorized use shall be made by December 31, 1996. (0000009)
8. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until a license is issued. (0000010)
9. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)
10. Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.
- The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. (00000012)
11. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)
12. This permit shall not be construed as conferring upon permittee right of access to the point of diversion. (0000022)
13. The equivalent of the authorized continuous flow allowance for any 30-day period may be diverted in a shorter time, provided there is no interference with other rights and instream beneficial uses, and provided further that all terms and conditions protecting instream beneficial uses are observed. (0000027)
14. This permit is subject to prior downstream rights, including those defined in the Angle Decree, Equity No. 30. Permittee shall allow access to project facilities to the Watermaster appointed by the United States District Court for the Eastern District of California to determine compliance with the terms of this permit. In diverting and storing water, permittee shall comply with orders of the Watermaster, including orders to release water stored adverse to prior downstream rights, unless otherwise directed by the State Water Resources Control Board or its representatives. Permittee shall pay any assessments for its proportionate share of the cost of watermaster service which have been approved by the United States District Court. (0000092)
15. Permittee shall install and maintain devices satisfactory to the State Water Resources Control Board to measure the daily quantity of water diverted under this permit. A record of such measurements shall be maintained by the permittee, and made available to interested parties upon reasonable request. Permittee shall allow the watermaster, George Wilson, his replacement or a designated representative, reasonable access to measuring devices for the purpose of verifying measurement readings. (0060999)

Application

Permit 20617

16. For the protection of riparian wildlife habitat in Salt Creek, permittee shall maintain the diversion works at Salt Creek in such a manner as to minimize disturbance of existing riparian vegetation and shall replace any trees or large shrubs that are destroyed as a result of construction no later than January 1993.

(0400500)

17. For the protection of terrestrial wildlife habitat, permittee shall maintain the water pipeline in such a manner as to minimize disturbance of existing trees and large shrubs and shall replace any trees or large shrubs removed.

Maintenance of the pipeline shall be carried out by hand where possible.

(0400500)

18. For the protection of rare plants and animals, permittee shall maintain and operate the project in such a manner as to avoid disturbing the habitat of any sensitive or rare species, including, but not limited to, the following:

Dimorphic Snapdragon (Antirrhinum subcordatum)

Brandegee's Eriastrum (Eriastrum brandegeae)

Adobe Lily (Fritillaria pluriflora)

Northern Goshawk (Accipiter gentilis)

Prairie Falcon (Falco mexicanus)

(0400500)

19. Diversion of water under this permit is allowed only so long as a water exchange contract with the United States Bureau of Reclamation is in effect which covers the full amount of water diverted during the period of April 1 to November 30. A copy of the contract shall be filed with the State Water Resources Control Board.

(0240300)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated:

APRIL 16 1992

STATE WATER RESOURCES CONTROL BOARD

[Signature]
 Chief, Division of Water Rights